

**REMARKS**

The present amendment is further to the Amendment of September 1, 2010, which was entered pursuant to the RCE filed October 4, 2010. The application is amended in a manner to place it in condition for allowance.

**Status of the Claims**

Claim 1 is amended for clarify the average molecular weight as *weight* average molecular weight (as originally recited), i.e.,  $M_w$ , and to restrict "the at least one silicon containing polymer" as being selected from component (A) and component (B). Additionally, the use for the claimed composition and the process by which component (A) is obtained are recited as described in paragraphs [0112] and [0028], respectively.

Claims 1, 3, 4, 6, 8 and 9 remain pending.

**Claim Rejections-35 USC §103**

Claims 1, 3, 4, 6 and 8 were rejected under 35 USC §103(a) as being unpatentable over IKENO et al. US 2004/0028917(IKENO) in view of a Gelest technical bulletin (GELEST), further in view of FILAS et al. US Pat. 5,217,811 (FILAS). This rejection is respectively traversed for the reasons that follow.

IKENO and FILAS teach a curing composition containing a compound corresponding to the component (A) of the present invention (a component having an alkenyl group).

However, these documents are completely silent about the details of the synthesis process of the compound. That is, IKENO and FILAS neither teach nor suggest synthesizing the component (A) by the step indicated in amended Claim 1. Consequently, there is no pointer in IKENO and FILAS towards the particular synthesis process of the component (A) as required by the amended Claim 1.

Indeed, this newly claimed step enables improvement in the advantageous effects of the present invention that a curing composition excellent in heat resistance and handling properties can be obtained, e.g., as discussed in paragraph [0028] of the present specification.

Further, as apparent from the discussion below, a skilled person in the art would have lacked motivation to deliberately adjust the phenyl group content of the curing composition of IKENO to the phenyl group content taught in FILAS.

The curing composition of IKENO is designed to have good adherence to particular substrates to be desirable as a coating material for preventing the adhesion of aquatic organisms to ships. On the other hand, the specific phenyl group content taught in FILAS can attain an index of refraction desirable for optical components such as optical fibers, optical waveguides,

and lasers. IKENO, however, is silent about optical components taught in FILAS.

Moreover, IKENO does not teach the applicability (of the curing composition) to the electrical and electronic field as recited in the present application. Furthermore, IKENO and FILAS fail to teach or suggest that it should be required for a sealing compound applicable to the electrical and electronic field to have excellent handling and curing properties as the claimed composition and also to have excellent heat resistance and flexibility as the cured products obtained from the claimed composition.

Contrarily, the phenyl group content of the claimed composition is determined so as to further improve heat resistance and handling properties which are important for applications to the electrical and electronic field.

GELEST was offered for suggesting the claimed molecular weights, but is unable to remedy the shortcomings of the combination of IKENO and FILAS for reference purposes.

Therefore, the proposed modification of IKENO does not teach or suggest the now claimed composition, which is applicable to the electrical and electronic field as a sealing compound, and withdrawal of the rejection is respectfully requested.

**CHEVALIER et al. WO 03080753 (CHEVALIER)**

Although CHEVALIER was cited in the vacated Office Action issued October 14, 2010, Applicants will discuss this document in an effort to advance prosecution of the present application.

The compositions used in Examples 18-25 and 30 of CHEVALIER contain the component (C), which is now excluded by the above amendment. The compositions used in Examples 7-17 of CHEVALIER contain the component (A) or the component (C) of the present invention and X-linker (a component having an Si-H group).

However, those components (A) and (C) taught in CHEVALIER are both synthesized by a different process from the process by which the component (A) of the present invention is synthesized. CHEVALIER is totally silent about the synthesis process of the component (A) of the claimed invention and the advantageous effects enabled by the synthesis process (e.g., as explained in the present application at [0028]).

In addition, in the claimed composition, in order to exhibit excellent heat resistance, the components (A) and (B) are each required to contain 20% by weight or less of a component whose weight average molecular weight is 1000 or less.

Contrary to this, the aforementioned X-linkers used in Examples 7-17 of CHEVALIER each have molecular weight of 1000 or less. When such components with low molecular weight are used,

good heat resistance cannot be exhibited (see Comparative Examples 1 and 2 of the present specification). Moreover, the content of low molecular components of the components (A) and (C) contained in the compositions used in Examples of CHEVALIER is unknown.

Thus, CHEVALIER fails to disclose or suggest the claimed invention, and CHEVALIER is unable to remedy the shortcomings of IKENO and/or FILAS for reference purposes.

### **Conclusion**

This application is in condition for allowance at the time of the next Official Action. Allowance and passage to issue on that basis is respectfully requested.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future submissions, to charge any deficiency or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/Robert A. Madsen/  
Robert A. Madsen, Reg. No. 58,543  
209 Madison Street, Suite 500  
Alexandria, VA 22314  
Telephone (703) 521-2297  
Telefax (703) 685-0573  
(703) 979-4709

RAM/lrs